

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)
) Case No. 12-42500-399
Marianna Lucille Catanzaro)
)
) Chapter 13
)
Debtor.) Objection to Claim No. 10-1
) Filed by Sharon Smithey

OBJECTION TO PROOF OF CLAIM AND NOTICE OF OBJECTION

PLEASE TAKE NOTICE: ANY RESPONSIVE PLEADING IN OPPOSITION TO THIS MOTION/PLEADING MUST BE FILED IN WRITING NO LATER THAN TWENTY ONE (21) DAYS FROM THE DATE OF SERVICE OF THIS MOTION/ PLEADING AS SHOWN ON THE CERTIFICATE OF SERVICE. (See L.B.R. 9013-1 b.; 9061-1 B) THE RESPONSE MUST BE IMMEDIATELY SERVED UPON THE UNDERSIGNED AND UPON ALL ENTITIES DESCRIBED IN L.B.R. 9013-1 A. THE COURT MAY GRANT THE MOTION/PLEADING WITHOUT FURTHER NOTICE TO ANY PARTY UPON EXPIRATION OF THE RESPONSE PERIOD IF NO RESPONSE IF FILED.

IF A RESPONSE OR OBJECTION IS FILED, THE MOVANT, APPLICANT OR CLAIM OBJECTOR SHALL SET THE MATTER FOR HEARING AND PROVIDE NOTICE THEREOF TO THE RESPONDENT AND ALL ENTITIES DESCRIBED IN L.B.R. 9013-1 A.

COMES NOW Debtor, Marianna L. Catanzaro, by and through her attorneys of record, *The Law Offices of Mueller & Haller LLC.*, and for Debtor's Objection to Claim No. 10-1, states as follows:

1. Proof of Claim No. 10-1 filed by Sharon Smithey in the amount of \$7,800.00 should be disallowed in its entirety.

2. The proof of claim was filed as an unsecured non-priority claim in the amount of \$7,800.00; however, Debtor does not owe any debt to Ms. Smithey and her claim should be disallowed in its entirety. Ms. Smithey was noticed of Debtor's Chapter 13 bankruptcy because she has asserted in the past that Debtor somehow caused damage to her property, but provides no

documents or other evidence showing that Debtor is responsible for any debt to Ms. Smithey.

WHEREFORE, Debtor prays the Court enter an Order Sustaining Debtor's Objection to Proof of Claim No. 10-1 filed by Sharon Smithey, disallowing the claim in its entirety, and for such other relief as this Court deems necessary and proper under the circumstances.

Respectfully Submitted
THE BANKRUPTCY COMPANY

/s/ Robert J. Lawson
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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Objection to Proof of Claim 10-1 and Notice were served upon the persons listed below who were not electronically served by first class mail, postage prepaid this 7th day of December, 2012.

/s/ Zachary J. Haven
Zachary J. Haven, Paralegal

John V. LaBarge, Jr. VIA ELECTRONIC MAIL
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